

Division of Workforce Development

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Rick Beasley
Acting Director

August 27, 2001

DWD Issuance 05-01

Subject: Designation of Local Equal Opportunity (EO) Officers

1. Purpose: This issuance provides the requirements for and duties of the local EO Officer at the local level Workforce Investment Area.
2. Substance: The requirements in this issuance can be found at 29 CFR Part 37: implementation of the Nondiscrimination and Equal opportunity provisions of the Workforce Investment Act (WIA) of 1998. The specific sections are 29 CFR 37.23 (Who must designate an Equal opportunity Officer?), 37.24 (Who is eligible to serve as an Equal Opportunity Officer?), 37.25 (What are the responsibilities of an Equal Opportunity Officer?), 37.26 (What are a recipient's obligations relating to the Equal Opportunity Officer?). The role Equal Opportunity officers play is critical to local and state compliance with Equal Opportunity laws and regulations. Their oversight of local programs and resolution of complaints minimizes costly litigation and enhances the delivery of equitable services.

Recipients of financial assistance under WIA Title I, must designate local level Equal Opportunity Officers (EOO). A senior-level employee should be selected such as a manager or an appropriate designee. This individual should be knowledgeable of programs within his or her jurisdiction. Pursuant to guidance from USDOL, CRC, this requirement applies minimally to Local Workforce Investment Boards. In Missouri there will be fourteen (14) local Equal opportunity Officers who will be responsible for ensuring EO compliance at the local Workforce Investment Area for all recipients of WIA title I financial assistance. This includes One-Stop Career Centers, service providers and others identified at 29 CFR Part 37.4 (Definitions).

The local EO Officer will be responsible for the EO program within his/her local Workforce Investment Area and should be

allowed sufficient time and resources to perform EO responsibilities. The regulations at 29 CFR Part 37.24 state: Depending upon the size of the recipient's WIA Title I financially assisted programs or activities, and the number of applicants, registrants and participants served by the recipient, the EO Officer may or may not be assigned other duties. However, he or she must not have other responsibilities or activities that create a conflict, or the appearance of a conflict with the responsibilities of an EO Officer.

The Duties of a Local EO Officer are as Follows:

- ◆ To serve as the local liaison to the State WIA EO Officer.
- ◆ To facilitate onsite EO reviews conducted by DWD or USDOL staff.
- ◆ To ensure that Equal Opportunity posters with the notice: Equal Opportunity is the Law are placed in areas of high visibility.
- ◆ To ensure that communications or brochures issued by the agency or One-Stop center contain the taglines based on the ones prescribe at 29 CFR Part 37.34, "_____is an equal opportunity employer with equal opportunity programs" and "Auxiliary aids and services are available upon request to individuals with disabilities".
- ◆ To process, resolve and refer complaints of discrimination in the manner prescribed by 29 CFR Part 37.
- ◆ To ensure all applicants (defined at 29 CFR Part 37.4) and employees personally receives a flier-version of the Equal Opportunity notice contained in the above poster.
- ◆ To ensure facilities, programs, services and information are accessible to individuals with a disability.
- ◆ To ensure that programs, services and information are accessible to individuals whose primary language is not English and who constitute a significant portion of the area population eligible to be served (see 29 CFR Part 37.35).
- ◆ To review all local plans, contracts and agreements to ensure they contain the *nondiscrimination assurance* prescribed at 29 CFR Part 37.20.
- ◆ To participate in training that will enhance and maintain the competencies required of a local EO Officer.
- ◆ To collaborate with the State WIA EO Officer when alternate dispute resolution has been selected by a complainant.
- ◆ To begin the process of a discrimination complaint by coordination of information and sending same to the State WIA EO Officer. ***Local EO Officers will not participate in the investigation of a discrimination complaint.***

3. Action: Review updated list for compliance of designated local EO Officers.
Submit changes to State WIA EO Officer as they occur.

4. Contact: Direct all questions regarding this issuance to Juanita J. Davis, State
WIA EO Officer, 573-751-3193 or e-mail, jdavis@wfd.state.mo.us.

Rick Beasley, Acting Director

RB/JJD/dp

Attachment - List of designated local EO Officers

cc: DWD Administration
DWD Central Office Managers
DWD Regional Managers
WIB Chairs
WIB Local Contacts